

30103. Adulteration of apples. U. S. v. 120 Bushels of Apples. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. & D. No. 44170. Sample No. 38962-D.)

This product was contaminated with arsenic and lead.

On October 3, 1938, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 120 bushels of apples at St. Louis, Mo.; alleging that the article had been shipped in interstate commerce on or about September 21, 1938, by the Cohen Orchard from Grafton, Ill.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained added poisonous or deleterious ingredients, arsenic and lead, which might have rendered it harmful to health.

On November 16, 1938, no claimant having appeared, judgment of condemnation was entered and it was ordered that the apples be delivered to a charitable organization and that they be peeled and cored and the peelings and cores destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30104. Adulteration of butter. U. S. v. 14 Tubs of Butter. Consent decree of condemnation. Product released under bond for reworking. (F. & D. No. 44571. Sample No. 32915-D.)

This product contained less than 80 percent of milk fat.

On December 1, 1938, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 14 tubs of butter at Chicago, Ill.; alleging that the article had been shipped in interstate commerce on or about September 20, 1938, by the Patton Creamery Co. from Springfield, Mo.; and charging adulteration in violation of the Food and Drugs Act.

Adulteration was alleged in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat as required by the act of March 4, 1923.

On January 9, 1939, the Patton Creamery Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be reworked under the supervision of this Department.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30105. Adulteration of poultry. U. S. v. Five Barrels and Seven Barrels of Poultry. Default decree of condemnation and destruction. (F. & D. No. 44542. Sample No. 44112-D.)

Samples of this product were found to be diseased, emaciated, and decomposed.

On December 20, 1938, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 12 barrels of poultry at New York, N. Y.; alleging that the article had been shipped in interstate commerce on or about December 2, 1938, from Fayetteville, Ark., by Jerpe Dairy Products Corporation; and charging adulteration in violation of the Food and Drugs Act.

Adulteration was alleged in that the article consisted in whole or in part of a decomposed animal substance.

On January 27, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30106. Adulteration of cashew nuts. U. S. v. 49 Cases of Cashew Nuts. Default decree of condemnation and destruction. (F. & D. No. 44501. Sample No. 26177-D.)

This product, which had been imported, at the time of examination was found to be worm-infested.

On December 14, 1938, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 49 cases of cashew nuts at New York, N. Y.; alleging that the article had been entered at the port of New York on January 28, 1936, and had been imported by Wm. A. Higgins & Co., New York, N. Y.; and charging adulteration in violation of the Food and Drugs Act.